



Steven W. Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Veterinary Division

Joseph W. Reardon
Assistant Commissioner
for Consumer Protection

Douglas Meckes, DVM
State Veterinarian

January 17, 2020

Karl Milliren, DVM
Carolina Pet Services
Thomasville Veterinary Hospital
724 National Highway
Thomasville, NC 27360

NOTICE OF CIVIL PENALTY AND NOTICE OF WARNING

Re: CIVIL PENALTY ASSESSMENT FOR VIOLATIONS OF N.C. ADMINISTRATIVE CODES ("NCAC") TITLE 02 CHAPTER 52J SECTIONS .0203(a); .0204(e); .0206; .0207(a) and (b)(6) AND NOTICE OF WARNING FOR VIOLATIONS OF 02 NCAC 52J .0204(a) and .0208.

AWS-CP-2020-2

**Facility: Thomasville Veterinary Hospital – Daycare facility
License No. 20529**

Dear Dr. Milliren:

Pursuant to N.C. General Statute § 19A-40, I am issuing this notice that Carolina Pet Services d/b/a Thomasville Veterinary Hospital is hereby assessed a civil penalty of \$950.00 as provided in the enclosed Notice of Violations.

With regard to the civil penalty, within 60 days from the date of receipt, you must do one of the following:

1. Pay the civil penalty assessment; or
2. File a written petition for a contested case hearing with the N.C. Office of Administrative Hearings to appeal the penalty assessment.

Pursuant to N.C.G.S. § 150B-22, either party to a dispute may initiate informal settlement negotiations at any time. To negotiate a settlement of this assessment, you may contact me by telephone at (919) 707-3280. Settlement offers do not extend the 60-day deadline for payment or filing of a contested case petition.

Additional information about your options is provided below:

PAYMENT

To pay the penalty, please send your payment by check or money order made payable to the North Carolina Department of Agriculture and Consumer Services to:

North Carolina Department of Agriculture and Consumer Services
Dr. Patricia Norris
Director, Animal Welfare Section
1030 Mail Service Center
Raleigh, NC 27699-1030

APPEAL

If you file a contested case petition, it must be in writing and in the form prescribed by N.C.G.S. § 150B-23. The petition must be filed with the N.C. Office of Administrative Hearings ("OAH") within 60 days from the date of this document. Additionally, the petition must be accompanied by a filing fee of twenty dollars (\$20.00). Payment can be made by cash, money order, certified check or check drawn on an attorney's trust account. Make checks payable to: Office of Administrative Hearings. File the petition and one copy with:

Office of Administrative Hearings
6714 Mail Service Center
Raleigh, NC 27699-6714

Any questions about filing a petition may be directed to the Clerk of OAH by telephone at 919-431-3000.

You must serve NCDA&CS by mailing a copy of the petition to:

Ms. Tina Hlabse
North Carolina Department of Agriculture and Consumer Services
Registered Agent and General Counsel
1001 Mail Service Center
Raleigh, NC 27699-1001

Payment of the penalty will not foreclose further enforcement action against you for any new violation. If the violations which resulted in the assessment are of a continuing nature, NCDA&CS reserves the right to assess additional civil penalties in the future or take other enforcement action against you.

Your attention to this matter is appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read "Patricia Norris DVM, MS". The signature is fluid and cursive, with the first name "Patricia" written in a larger, more prominent script than the last name and credentials.

Patricia Norris, DVM, MS
Director, Animal Welfare Section

Attachment: Notice of Violations, Assessment of Civil Penalty

cc: R. Douglas Meckes, DVM, State Veterinarian
Tina Hlabse, General Counsel, NCDA&CS
Joe Reardon, Assistant Commissioner, NCDA&CS
Christopher R. McLennan, Assistant Attorney General

STATE OF NORTH CAROLINA
COUNTY OF WAKE

NORTH CAROLINA DEPARTMENT
OF AGRICULTURE AND CONSUMER
SERVICES, VETERINARY DIVISION
ANIMAL WELFARE SECTION

IN THE MATTER OF
CAROLINA PET SERVICES
d/b/a THOMASVILLE
VETERINARY HOSPITAL

) NOTICE OF VIOLATIONS AND
) ASSESSMENT OF CIVIL PENALTY
) FOR VIOLATIONS OF TITLE 02 N.C.
) ADMINISTRATIVE CODE ("NCAC")
) CHAPTER 52J SECTIONS .0203(a);
) .0204(e); .0206; AND .0207(a) and (b)(6)
) AND NOTICE OF WARNING FOR
) VIOLATIONS OF 02 NCAC 52J .0204(a)
) and .0208.

Acting pursuant to N.C. General Statute § 19A-40, Dr. Patricia Norris, Director, Animal Welfare Section ("AWS"), North Carolina Department of Agriculture and Consumer Services ("NCDA&CS") makes the following:

FINDINGS OF FACT

1. At all times pertinent to this matter, Carolina Pet Services d/b/a Thomasville Veterinary Hospital – Daycare facility ("the kennel"), was a boarding kennel, licensed pursuant to N.C. General Statute ("N.C.G.S.") § 19A-28.
2. On November 21, 2019, AWS Animal Health Technician Christie Shore ("Inspector Shore") conducted a Facility Compliance Inspection ("FCI") of the kennel. This inspection was marked as "Disapproved" due to the number and severity of the violations of compliance with the NC Animal Welfare Act ("AWA") and associated rules. The November 21, 2019 FCI report is attached and incorporated by reference hereinto these Findings of Fact.
3. On December 4, 2019, AWS issued a Warning Letter to the kennel which documented the violations of 02 NCAC 52J .0102(1); .0201(d) and (h); .0202(b); .0203(a); .0204(a) and (e); .0206; .0207(a) and (b)(6); and .0208. The December 4, 2019 Warning Letter is attached and incorporated by reference hereinto these Findings of Fact.
4. The December 4, 2019 Warning Letter directed the facility to:
 - a. Immediately remove animals from and close off the outdoor play area and all other unapproved enclosures until repairs can be made so that the enclosure(s) is(are) in compliance with the AWA and its rules. If gravel is being used in the outdoor play area, then the gravel must be maintained at depth of at least 6 inches and kept sanitary. Animals may not have access to or be confined to that play yard or other unapproved enclosures until after the areas have been inspected by the AWS Inspector and found to be in compliance with the AWA and its associated regulations.
 - b. Develop and implement written protocols that fulfill the documentation requirements of 02 NCAC 52J .0102.

- c. Develop and implement a written protocol that ensures that open bags/boxes of food are kept in airtight containers with lids.
- d. Develop and implement written protocols that ensure no animal is unsupervised in an area without a perimeter fence as required by 02 NCAC 52J .0201(h).
- e. Develop and implement written protocols for proper twice-daily cleaning and sanitation of all enclosures, play areas, and other common areas.
- f. Develop and implement a written protocol that ensures all animals have continuous access to fresh water.
- g. Develop and implement written protocols that ensure that the 10:1 dogs to supervising employee ratio is maintained at all times.
- h. Ensure that a sufficient number of employees is present at the facility to maintain the prescribed level of husbandry practices set forth in the AWA and its rules.
- i. Develop and implement a program of routine inspection and maintenance of the facility to ensure that all areas in contact with the animals are impervious, easily sanitized and kept in good repair.
- j. Submit to AWS, within 7 days of receipt of this Notice of Warning, a timeline detailing the corrective actions and their expected completion dates to address all the violations noted in this Notice of Warning and the November 21, 2019 FCI.

5. The kennel failed to comply with the directives above.

6. In addition, the December 4, 2019 Warning Letter stated:

Continued or future violation of these statutes or regulations will be considered a willful disregard or violation of the N.C. Animal Welfare Act and the rules issued pursuant thereto. Such willful disregard or violation may result in action against your facility's license pursuant to N.C. General Statute § 19A-30 and/or the assessment of a civil penalty of up to \$5,000.00 per violation under N.C. General Statute § 19A-40.

7. On January 9, 2020, Inspector Shore conducted another FCI. This inspection was marked as "Disapproved" due to the number, severity, and repetitive nature of the violations of compliance with the AWA and its associated rules.

8. The January 9, 2020 FCI report revealed the following:

- a. In violation of 02 NCAC 52J .0203(a) dogs were housed in the outside play yard where there is insufficient gravel and the yard is mostly mud without established grass;
- b. This inadequacy was noted on the August 1, 2019 and November 21, 2019 FCI reports as well as the December 4, 2019 Warning Letter.
- c. During the November 21, 2019 FCI, the kennel manager informed Inspector Shore that this area would not be used until it was in compliance with the AWA and its rules;
- d. During the January 9, 2020 FCI, 13 dogs were observed to be confined together in the outside play yard with only 1 supervising employee, in violation of 02 NCAC 52J .0204(e);
- e. Violation of 02 NCAC 52J .0204(e) was noted in the November 21, 2019 FCI report and in the December 4, 2019 Warning Letter. In addition, the kennel manager sent an email on December 3, 2019 to Inspector Shore stating that she had met with the kennel staff and had discussed compliance with this required supervision ratio.

- f. The January 9, 2020 FCI noted that the floors in the medium and large rooms remained unsealed in violation of 02 NCAC 52J .0204(a), despite this violation being noted on the November 21, 2019 FCI report. An email sent December 3, 2019 from the kennel manager to Inspector Shore stated that these floors were to be sealed on December 14th and 15th, 2019.
- g. During the January 9, 2020 FCI, a dog was found housed in a kennel with no water or water receptacle in violation of 02 NCAC 52J .0206 which requires that the animals have continuous access to water. This violation was also noted during the November 21, 2019 FCI and in the December 4, 2019 Warning Letter. The December 3, 2019 email from the kennel manager noted that she had instructed the kennel staff to provide the animals with continuous access to water.
- h. The January 9, 2020 FCI report noted that the walls and floors of the play rooms had not been cleaned regularly as required by 02 NCAC 52J .0207(a) and (b)(6). These violations had also been noted during the November 21, 2019 FCI and the December 4, 2019 Warning Letter. The kennel manager remarked during the January 9, 2020 FCI that a pressure washer to clean the walls had been ordered but not yet received.
- i. In violation of 02 NCAC 52J .0208, an insufficient number of employees was present at the kennel to maintain the prescribed husbandry and to provide adequate supervision of the co-mingled dogs at the time of the January 9, 2020 FCI. This violation had been noted during the November 21, 2019 FCI and in the December 9, 2019 Warning Letter.

CONCLUSIONS

To the extent that the Findings of Fact contain Conclusions of Law, or that the Conclusions of Law are Findings of Fact, they should be so considered without regard to the given labels. Based on the findings of this investigation, AWS concludes that the shelter violated the following provisions:

02 NCAC 52J .0203(a) for allowing animals in outdoor enclosures in which the kennel has failed to maintain gravel at a minimum depth of six inches in areas where gravel was used;

02 NCAC 52J .0204(a) for failing to maintain the surfaces within primary enclosures impervious to moisture in the medium and large play rooms;

02 NCAC 52J .0204(e) for failing to provide at least one person supervising each 10 dogs housed within each enclosure or common area;

02 NCAC 52J .0206 for failing to provide continuous access to fresh water to an animal housed in one of the kennels;

02 NCAC 52J .0207(a) for failing to properly clean enclosures and exercise areas for dogs a minimum of two times per day;

02 NCAC 52J .0207(b)(6) for failing to keep areas accessible to multiple animals clean and sanitary; and

02 NCAC 52J .0208 for failing to maintain a sufficient number of employees to maintain the prescribed level of husbandry practices.

(See Appendix for text of referenced General Statutes and Administrative Code)

CIVIL PENALTY

As required by N.C. General Statute § 19A-40, in determining the amount of the civil penalty, I have considered the degree and extent of harm caused by the violations listed above.

Accordingly, Carolina Pet Services d/b/a Thomasville Veterinary Hospital, is hereby assessed a civil penalty for the following violations:

\$100.00 for violation of 02 NCAC 52J .0203(a) for allowing animals in outdoor enclosures in which the kennel has failed to maintain gravel at a minimum depth of six inches in areas where gravel was used;

\$200.00 for violation of 02 NCAC 52J .0204(e) failing to provide at least one person supervising each 10 dogs housed within each enclosure or common area;

\$250.00 for violation of 02 NCAC 52J .0206 failing to provide continuous access to fresh water to an animal;

\$200.00 for violation of 02 NCAC 52J .0207(a) failing to properly clean enclosures and exercise areas for dogs a minimum of two times per day; and

\$200.00 for violation of 02 NCAC 52J .0207(b)(6) for failing to keep areas accessible to multiple animals clean and sanitary.

\$950.00 TOTAL AMOUNT ASSESSED

NOTICE of WARNING

As to the remaining violations, this letter serves as a written warning and notice indicating in which respects the kennel has violated the AWA and the rules issued pursuant thereto.

The kennel is directed to develop and implement written protocols and corrective actions to address the violations of 02 NCAC 52J .0204(a) and .0208. Please submit these written protocols and corrective actions to AWS within 14 days of receipt of this letter.

Continued or future violation of the statutes or regulations referenced in this letter will be considered a willful disregard or violation of the N.C. Animal Welfare Act and the rules issued pursuant thereto. Such willful disregard or violation may result in action against your facility's registration pursuant to NCGS § 19A-30 and/or the assessment of a civil penalty of up to \$5,000.00 per violation under NCGS § 19A-40.

January 17, 2020
Date

Patricia Norris, DVM, MS
Patricia Norris, DVM, MS
Director, Animal Welfare Section
North Carolina Department of
Agriculture & Consumer Services

Appendix

REFERENCED LAWS AND REGULATIONS

§ 19A-28. License required for public auction or boarding kennel.

No person shall operate a public auction or a boarding kennel unless a license to operate such establishment shall have been granted by the Director. Application for such license shall be made in the manner provided by the Director. The license period shall be the fiscal year and the license fee shall be seventy-five dollars (\$75.00) for each license period or part thereof beginning with the first day of the fiscal year.

§ 19A-30. Refusal, suspension or revocation of certificate or license.

The Director may refuse to issue or renew or may suspend or revoke a certificate of registration for any animal shelter or a license for any public auction, kennel, pet shop, or dealer, if after an impartial investigation as provided in this Article he determines that any one or more of the following grounds apply:

- (1) Material misstatement in the application for the original certificate of registration or license or in the application for any renewal under this Article;
- (2) Willful disregard or violation of this Article or any rules issued pursuant thereto;
- (3) Failure to provide adequate housing facilities and/or primary enclosures for the purposes of this Article, or if the feeding, watering, sanitizing and housing practices at the animal shelter, public auction, pet shop, or kennel are not consistent with the intent of this Article or the rules adopted under this Article;
- (4) Allowing one's license under this Article to be used by an unlicensed person;
- (5) Conviction of any crime an essential element of which is misstatement, fraud, or dishonesty, or conviction of any felony;
- (6) Making substantial misrepresentations or false promises of a character likely to influence, persuade, or induce in connection with the business of a public auction, commercial kennel, pet shop, or dealer;
- (7) Pursuing a continued course of misrepresentation of or making false promises through advertising, salesmen, agents, or otherwise in connection with the business to be licensed;
- (8) Failure to possess the necessary qualifications or to meet the requirements of this Article for the issuance or holding of a certificate of registration or license.

The Director shall, before refusing to issue or renew and before suspension or revocation of a certificate of registration or a license, give to the applicant or holder thereof a written notice containing a statement indicating in what respects the applicant or holder has failed to satisfy the requirements for the holding of a certificate of registration or a license. If a certificate of registration or a license is suspended or revoked under the provisions hereof, the holder shall have five days from such suspension or revocation to surrender all certificates of registration or licenses issued thereunder to the Director or his authorized representative.

A person to whom a certificate of registration or a license is denied, suspended, or revoked by the Director may contest the action by filing a petition under G.S. 150B-23 within five days after the denial, suspension, or revocation.

Any licensee whose license is revoked under the provisions of this Article shall not be eligible to apply for a new license hereunder until one year has elapsed from the date of the order revoking said license or if an appeal is taken from said order of revocation, one year from the date of the order or final

judgment sustaining said revocation. Any person who has been an officer, agent, or employee of a licensee whose license has been revoked or suspended and who is responsible for or participated in the violation upon which the order of suspension or revocation was based, shall not be licensed within the period during which the order of suspension or revocation is in effect.

§ 19A-40. Civil Penalties.

The Director may assess a civil penalty of not more than five thousand dollars (\$5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Director shall consider the degree and extent of harm caused by the violation. The clear proceeds of civil penalties assessed pursuant to this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2. (1995, c. 516, s. 6; 1998-215, s. 3.)

02 NCAC 52J .0203 OUTDOOR FACILITIES

(a) In outdoor facilities that are subject to the Animal Welfare Act, primary enclosures and walkways with which an animal comes in contact shall be constructed of sealed concrete or other surfaces impervious to moisture. Gravel may be used if maintained at a minimum depth of six inches and kept in a sanitary manner.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. March 23, 2009; January 1, 2005.

02 NCAC 52J .0204 PRIMARY ENCLOSURES

(a) Primary enclosures shall be constructed so as to prevent contamination from waste and wastewater from animals in other enclosures. All surfaces with which an animal comes in contact shall be impervious to moisture. For primary enclosures placed into service on or after January 1, 2005, no wood shall be within the animal's reach. For primary enclosures in use in a licensed or registered facility prior to January 1, 2005, any damaged wood must be replaced in a manner that does not permit contact with wood by the animal.

(e) If more than four dogs are housed in a common area or enclosure, then there must be at least one person supervising each 10 dogs housed within each enclosure or common area.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985.

02 NCAC 52J .0206 WATERING

Animals shall have continuous access to fresh water, except as might otherwise be required to provide adequate veterinary care. Watering receptacles shall be durable and kept clean and sanitized. Damaged receptacles shall be replaced.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984;

02 NCAC 52J .0207 SANITATION

(a) Waste shall be removed from primary enclosures and exercise areas to prevent contamination of the dogs or cats contained therein and to reduce disease hazards and odors. Enclosures and exercise areas for dogs and cats must be properly cleaned a minimum of two times per day. The animal must be able to walk or lie down without coming in contact with any waste or debris. When a hosing or flushing method is used for cleaning an enclosure, dogs or cats contained therein shall be removed during the cleaning process, and adequate measures shall be taken to protect the animals in other such enclosures from being contaminated with water and other wastes.

(b) Sanitation shall be as follows:

(6) Any area accessible to multiple animals shall be kept clean and sanitary.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985.

02 NCAC 52J .0208 EMPLOYEES

A sufficient number of employees shall be utilized to maintain the prescribed level of husbandry practices set forth in this Rule. Such practices shall be under the supervision of an animal caretaker who has a background in animal husbandry or care.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984.



Steven W. Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Veterinary Division

Joseph W. Reardon
Assistant Commissioner
for Consumer Protection

Douglas Meckes, DVM
State Veterinarian

December 4, 2019

Karl Milliren, DVM
Carolina Pet Services
Thomasville Veterinary Hospital
724 National Highway
Thomasville, NC 27360

Notice of Warning

**Re: Violation of Title 02 N.C. Administrative Code ("NCAC") Chapter 52J
Sections .0102(1); .0201(d) and (h); .0202(b); .0203(a); .0204(a) and (e); .0206; .0207(a) and (b)(6);
and .0208**

AWS-WL-2019-10

Boarding kennel: Thomasville Veterinary Hospital Daycare Facility
License Number: 20529

Dear Dr. Milliren:

The Animal Welfare Section ("AWS") of the Veterinary Division of the N.C. Department of Agriculture and Consumer Services ("NCDA&CS") conducted a facility compliance inspection ("FCI") on November 21, 2019 of the daycare facility at Thomasville Veterinary Hospital ("the kennel"). The November 21, 2019 FCI was marked "Disapproved" due to the number and severity of violations of the N.C. Animal Welfare Act ("AWA") and its associated regulations. Previously, AWS conducted a FCI of the kennel on August 1, 2019. During the August 1, 2019 FCI, the AWS Inspector had directed the kennel not to confine animals in the large outside play area until that area had been brought into compliance with the AWA and its regulations.

Copies of the FCI reports are attached hereto and incorporated by reference.

AWS notes the following findings:

The November 21, 2019 FCI report documents that:

- 1) The kennel failed to maintain the date of entry for all animals present at the facility at the time of the FCI in violation of 02 NCAC 52J .0102(1). There were 28 animals present during the FCI but only 20 animals had been signed in for that date.
- 2) An open box of dog treats in the large dog playroom was not in an airtight container with a lid as required by 02 NCAC 52J .0201(d).

- 3) Two dogs were confined unsupervised in the outside area on the right side of the building where there is no perimeter fencing in violation of 02 NCAC 52J .0201(h).
- 4) A strong odor was present in the large dog play room and the vents and filters are not being cleaned on a routine bases as evidenced by the black appearance of the filter from the accumulation of dirt and debris. This is a violation of 02 NCAC 52J .0202(b).
- 5) The bottoms of the doors in the play rooms are starting to rust and cannot be easily sanitized as required by 02 NCAC 52J .0202(d).
- 6) Upon arrival, the AWS Inspector noted 22 dogs loose in the outdoor area with access to the indoor area. The outdoor area was not in compliance as it was mostly bare dirt/mud and gravel had not been added. The kennel was directed during the August 1, 2019 FCI not to use this area to confine animals until the area was in compliance with the AWA and its regulations. Therefore, confining animals in this non-compliant area was a willful violation of 02 NCAC 52J .0203(a).
- 7) 02 NCAC 52J .0204(a) requires that all surfaces with which an animal comes in contact with is to be impervious to moisture. The baseboard tile is missing in the large dog play area exposing non-impervious material and the floors in the medium room have started to chip and need to be resealed in order to be impervious to moisture. The condition of the floor in the large play area could not be determined due to the significant amount of dirt/debris covering the floor.
- 8) Upon arrival, the AWS Inspector noted 22 dogs loose in the outdoor play area with 1 employee who was paying attention to her cell phone rather than supervising the dogs. A few minutes later, a second employee appeared at the play area from inside the building. These 2 employees were the only employees present at the facility at the beginning of the FCI. Neither employee was able to respond with an accurate number when the Inspector asked them how many animals were present in that play area. Based on this, the kennel was in violation of 02 NCAC 52J .0204(e) which requires that if more than four dogs are housed in a common area or enclosures, then there must be at least 1 person supervising each 10 dogs housed within each enclosure or common area. Supervision of animals is defined by 02 NCAC 52J .0104(11) as "one person (at least 16 years of age present), at all times, able to directly view each enclosure or common area."
- 9) Four dogs were moved from the large play area to a room that was not in compliance with the AWA and its regulations and had not been approved by AWS for use as an enclosure. These animals were noted to not have access to water as no water or water bowls were present in violation of 02 NCAC 52J .0206. Later during the FCI, a dog was noted to be confined to an outdoor run that the kennel had previously said they would not be using as enclosure. This dog was also without water. The kennel staff said that this dog was owned by a staff member. 02 NCAC .0201(k) notes that all animals on the regulated facility are subject to the AWA and its rules. Failure to provide this dog with water was also a violation of 02 NCAC 52J .0206.
- 10) The floor of the large dog play room was covered with dirt and debris such that the animals could not walk or lie down without being in contact with dirt/debris in violation of 02 NCAC 52J .0207(a) and (b)(6). There was also a strong odor in this room/enclosure.
- 11) There was an insufficient number of employees present during the FCI to supervise, care for the animals and clean the facility in violation of 02 NCAC 52J .0208.

Based on the results of the FCIs conducted on November 21, 2019, the kennel appears to have violated 02 NCAC 52J .0102(1); .0201(d) and (h); .0202(b); .0203(a); .0204(a) and (e); .0206; .0207(a) and (b)(6); and .0208.

Therefore, I am directing the kennel to do the following:

- 1) Immediately remove animals from and close off the outdoor play area and all other unapproved enclosures until repairs can be made so that the enclosure(s) is(are) in compliance with the AWA and its rules. If gravel is being used in the outdoor play area, then the gravel must be maintained at depth of at least 6 inches and kept sanitary. Animals may not have access to or be confined to that play yard or other unapproved enclosures until after the areas have been inspected by the AWS Inspector and found to be in compliance with the AWA and its associated regulations.
- 2) Develop and implement written protocols that fulfill the documentation requirements of 02 NCAC 52J .0102.
- 3) Develop and implement a written protocol that ensures that open bags/boxes of food are kept in airtight containers with lids.
- 4) Develop and implement written protocols that ensure no animal is unsupervised in an area without a perimeter fence as required by 02 NCAC 52J .0201(h)
- 5) Develop and implement written protocols for proper twice-daily cleaning and sanitation of all enclosures, play areas, and other common areas.
- 6) Develop and implement a written protocol that ensures all animals have continuous access to fresh water.
- 7) Develop and implement written protocols that ensure that the 10:1 dog to supervising employee ratio is maintained at all times.
- 8) Ensure that a sufficient number of employees is present at the facility to maintain the prescribed level of husbandry practices set forth in the AWA and its rules.
- 9) Develop and implement a program of routine inspection and maintenance of the facility to ensure that all areas in contact with the animals are impervious, easily sanitized and kept in good repair.
- 10) Submit to AWS, within 7 days of receipt of this Notice of Warning, a timeline detailing the corrective actions and their expected completion dates to address all the violations noted in this Notice of Warning and the November 21, 2019 FCI.

This Warning Letter serves as written notice indicating in which respects the kennel has violated the N.C. Animal Welfare Act and the rules issued pursuant thereto.

Continued or future violation of these statutes or regulations will be considered a willful disregard or violation of the N.C. Animal Welfare Act and the rules issued pursuant thereto. Such willful disregard or violation may result in action against your facility's license pursuant to N.C. General Statute § 19A-30 and/or the assessment of a civil penalty of up to \$5,000.00 per violation under N.C. General Statute § 19A-40.

Your immediate attention to this matter is appreciated.

Sincerely,



Patricia Norris, DVM, MS
Director of Animal Welfare Section
Veterinary Division

cc: Dr. R. Douglas Meckes, State Veterinarian; Joe Reardon, Assistant Commissioner, NCDA&CS
Tina Hlabse, General Counsel, NCDA&CS; Christopher R. McLennan, Assistant Attorney General

Appendix

REFERENCED STATUTES AND REGULATIONS

§ 19A-30. Refusal, suspension or revocation of certificate or license.

The Director may refuse to issue or renew or may suspend or revoke a certificate of registration for any animal shelter or a license for any public auction, kennel, pet shop, or dealer, if after an impartial investigation as provided in this Article he determines that any one or more of the following grounds apply:

- (1) Material misstatement in the application for the original certificate of registration or license or in the application for any renewal under this Article;
- (2) Willful disregard or violation of this Article or any rules issued pursuant thereto;
- (3) Failure to provide adequate housing facilities and/or primary enclosures for the purposes of this Article, or if the feeding, watering, sanitizing and housing practices at the animal shelter, public auction, pet shop, or kennel are not consistent with the intent of this Article or the rules adopted under this Article;
- (4) Allowing one's license under this Article to be used by an unlicensed person;
- (5) Conviction of any crime an essential element of which is misstatement, fraud, or dishonesty, or conviction of any felony;
- (6) Making substantial misrepresentations or false promises of a character likely to influence, persuade, or induce in connection with the business of a public auction, commercial kennel, pet shop, or dealer;
- (7) Pursuing a continued course of misrepresentation of or making false promises through advertising, salesmen, agents, or otherwise in connection with the business to be licensed;
- (8) Failure to possess the necessary qualifications or to meet the requirements of this Article for the issuance or holding of a certificate of registration or license.

The Director shall, before refusing to issue or renew and before suspension or revocation of a certificate of registration or a license, give to the applicant or holder thereof a written notice containing a statement indicating in what respects the applicant or holder has failed to satisfy the requirements for the holding of a certificate of registration or a license. If a certificate of registration or a license is suspended or revoked under the provisions hereof, the holder shall have five days from such suspension or revocation to surrender all certificates of registration or licenses issued thereunder to the Director or his authorized representative.

A person to whom a certificate of registration or a license is denied, suspended, or revoked by the Director may contest the action by filing a petition under G.S. 150B-23 within five days after the denial, suspension, or revocation.

Any licensee whose license is revoked under the provisions of this Article shall not be eligible to apply for a new license hereunder until one year has elapsed from the date of the order revoking said license or if an appeal is taken from said order of revocation, one year from the date of the order or final judgment sustaining said revocation. Any person who has been an officer, agent, or employee of a licensee whose license has been revoked or suspended and who is responsible for or participated in the violation upon which the order of suspension or revocation was based, shall not be licensed within the period during which the order of suspension or revocation is in effect. (1977, 2nd Sess., c. 1217, s. 11; 1987, c. 827, s. 67.)

§ 19A-40. Civil Penalties.

The Director may assess a civil penalty of not more than five thousand dollars (\$5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Director shall consider the degree and extent of harm caused by the violation.

The clear proceeds of civil penalties assessed pursuant to this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2. (1995, c. 516, s. 6; 1998-215, s. 3.)

02 NCAC 52J .0102 RECORDS; BOARDING KENNELS

Operators of boarding kennels shall maintain records of all dogs and cats showing the following:

- (1) name and address of owner or person responsible for animal, the date of entry and signature and address of individual to whom animal is released and the date of release;
- (2) description of animal including breed, sex, age and color marking; and
- (3) veterinary care provided while boarded, which shall include date, times, description of medication (including name and dosage) and initials of person administering product or procedure.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005.

02 NCAC 52J .0104 DEFINITIONS

As used in this Subchapter:

- (11) "Supervision of animals" means one person (at least 16 years of age) present, at all times, able to directly view each enclosure or common area.

History Note: Authority G.S. 19A-24; Eff. January 1, 2005.

SECTION .0200 - FACILITIES AND OPERATING STANDARDS

02 NCAC 52J .0201 GENERAL

(d) Supplies of food and bedding shall be stored in facilities which adequately protect such supplies against infestation or contamination by vermin and insects. All open bags of food shall be stored in airtight containers with lids. Refrigeration shall be provided for supplies of perishable food.

(h) A separate five-foot perimeter fence is required if any animals have access to an outdoor enclosure, including unsupervised exercise areas.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005.

02 NCAC 52J .0202 INDOOR FACILITIES

(b) Indoor housing facilities for dogs and cats shall be adequately ventilated to provide for the health and comfort of the animals at all times. The facilities shall be provided with fresh air either by means of windows, doors, vents or air conditioning and shall be ventilated so as to minimize drafts. Air flow shall be adequate to minimize odors and moisture condensation.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005.

02 NCAC 52J .0203 OUTDOOR FACILITIES

(a) In outdoor facilities that are subject to the Animal Welfare Act, primary enclosures and walkways with which an animal comes in contact shall be constructed of sealed concrete or other surfaces impervious to moisture. Gravel may be used if maintained at a minimum depth of six inches and kept in a sanitary manner.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. March 23, 2009; January 1, 2005.

02 NCAC 52J .0204 PRIMARY ENCLOSURES

(a) Primary enclosures shall be constructed so as to prevent contamination from waste and wastewater from animals in other enclosures. All surfaces with which an animal comes in contact shall be impervious to moisture. For primary enclosures placed into service on or after January 1, 2005, no wood shall be within the animal's reach. For primary enclosures in use in a licensed or registered facility prior to January 1, 2005, any damaged wood must be replaced in a manner that does not permit contact with wood by the animal.

(e) If more than four dogs are housed in a common area or enclosure, then there must be at least one person supervising each 10 dogs housed within each enclosure or common area.

History Note: *Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985.*

02 NCAC 52J .0206 WATERING

Animals shall have continuous access to fresh water, except as might otherwise be required to provide adequate veterinary care. Watering receptacles shall be durable and kept clean and sanitized. Damaged receptacles shall be replaced.

History Note: *Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005.*

02 NCAC 52J .0207 SANITATION

(a) Waste shall be removed from primary enclosures and exercise areas to prevent contamination of the dogs or cats contained therein and to reduce disease hazards and odors. Enclosures and exercise areas for dogs and cats must be properly cleaned a minimum of two times per day. The animal must be able to walk or lie down without coming in contact with any waste or debris. When a hosing or flushing method is used for cleaning an enclosure, dogs or cats contained therein shall be removed during the cleaning process, and adequate measures shall be taken to protect the animals in other such enclosures from being contaminated with water and other wastes.

(b) Sanitation shall be as follows:

(6) Any area accessible to multiple animals shall be kept clean and sanitary.

History Note: *Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985.*

02 NCAC 52J .0208 EMPLOYEES

A sufficient number of employees shall be utilized to maintain the prescribed level of husbandry practices set forth in this Rule. Such practices shall be under the supervision of an animal caretaker who has a background in animal husbandry or care.

History Note: *Authority G.S. 19A-24; Eff. April 1, 1984.*

**Animal Welfare Section
NC Department of Agriculture and Consumer Services
1030 Mail Service Center
Raleigh, NC 27699-1030**

Phone: (919) 707-3280 Fax: (919) 733-6431
Email: agr.aws@ncagr.gov
Website: www.ncaws.com

Facility Compliance Inspection - Boarding Kennel

Disapproved - 11/21/2019

Facility Name: THOMASVILLE VETERINARY HOSPITAL	License Number: 20529
Owner: KARL MILLIREN, DVM	
Address: 712 BROOKDALE DRIVE	
City: THOMASVILLE	Zip Code: 27360
County: DAVIDSON	
Phone:	Email: THOMASVILLEVET@NORTHSTATE.NET
Latitude:	Longitude:
Total Enclosures: 29	
Dogs on Premise: 28	Cats on Premise: 0
Capacity (Dogs): 50	Capacity (Cats):
Type of Inspection: Annual Inspection	Date of Inspection: 11/21/2019

02 NCAC 52J .0102 RECORDS

1. Name and address of owner, date of entry, signature and date for release. [02 NCAC 52J .0102(1)] - **Not In Compliance**
2. Description [02 NCAC 52J .0102(2)] - In Compliance
3. Record of veterinary care. [02 NCAC 52J .0102(3)] - In Compliance

.0102 All dogs were not signed in on the sign-in sheet. Between the time I arrived and when I left there was a total of 28 dogs. There were only 20 on the list (possibly 2 more, hard to decipher where the word "crew" is used for 2 entries)

02 NCAC 52J .0103 INSPECTION OF RECORDS

1. Records available upon request. [02 NCAC 52J .0103] - In Compliance
2. Animals matched to record. [02 NCAC 52J .0103] - In Compliance
3. Records retained for 1 year. [02 NCAC 52J .0103]; see section for §19A-32.1(j) for records to be retained for 3 years - In Compliance

02 NCAC 52J .0201 GENERAL

1. Housing facilities structurally sound and maintained in good repair. [02 NCAC 52J .0201(a)] - In Compliance
2. Housing facilities contain the animals and restrict entry of other animals and people. [02 NCAC 52J .0201(a)] - In Compliance
3. Light fixtures and electrical outlets in animal areas in compliance with the State Building Code. [02 NCAC 52J .0201(b)] - In Compliance
4. Electric power reliable and safe. [02 NCAC 52J .0201(c)] - In Compliance
5. Supplies of food and bedding stored and adequately protected against infestation or contamination by vermin and insects. [02 NCAC 52J .0201(d)] - Needs Improvement
6. Open bags of food stored in airtight containers with lids. [02 NCAC 52J .0201(d)] - Needs Improvement
7. Refrigeration for perishable food. [02 NCAC 52J .0201(d)] - In Compliance
8. Daily removal and disposal of animal and food waste, bedding and debris; facility maintained in a clean and sanitary manner. [02 NCAC 52J .0201(e)] - In Compliance
9. Hot and cold running, potable water available. [02 NCAC 52J .0201(f)] - In Compliance
10. Washroom, basin or sink provided to maintain cleanliness among animal caretakers, animals, and animal food and water receptacles. [02 NCAC 52J .0201(f)] - In Compliance

11. Ability to confirm ambient temperature. [02 NCAC 52J .0201(g)] - In Compliance
12. A separate five-foot perimeter fence if any animals have access to an outdoor enclosure, including unsupervised exercise areas. [02 NCAC 52J .0201(h)] - Not In Compliance
13. Adequate drainage system. [02 NCAC 52J .0201(i)] - In Compliance
14. All areas of a facility available for review or inspection during normal business hours. [02 NCAC 52J .0201(j)] - In Compliance
15. All animals in a facility subject to the requirements of the Animal Welfare Act, regardless of ownership. [02 NCAC 52J .0201(k)] - In Compliance
16. Compliance with all federal, state and local laws, rules and ordinances relating to or affecting the welfare of dogs and cats in its facility. [02 NCAC 52J .0201(l)] - In Compliance
17. No dog or cat present in a window display except during business hours and in compliance with standards set forth in this Section. [02 NCAC 52J .0201(m)] - In Compliance

.0201(d) All food/treats must be in sealed containers. An open box containing dog treats was found in the large dog playroom.

.0201(h) Two dogs were housed in outside area on the right side of the building facing building on concrete pad unsupervised without a perimeter fence.

02 NCAC 52J .0202 INDOOR FACILITIES

1. Indoor housing facilities adequately heated and cooled. [02 NCAC 52J .0202(a)] - In Compliance
2. Ambient temperature between 50°F and 85°F. [02 NCAC 52J .0202(a)] - In Compliance
3. Indoor housing facilities adequately ventilated. [02 NCAC 52J .0202(b)] - Not In Compliance
4. Fresh air and ventilation provided and drafts minimized. [02 NCAC 52J .0202(b)] - Not In Compliance
5. Air flow adequate to minimize odors and moisture condensation. [02 NCAC 52J .0202(b)] - Not In Compliance
6. Indoor housing facilities adequately illuminated. [02 NCAC 52J .0202(c)] - In Compliance
7. Illumination provides regular diurnal lighting cycles and be uniformly diffused [02 NCAC 52J .0202(c)] - In Compliance
8. Interior building surfaces are impervious to moisture and can be readily sanitized. [02 NCAC 52J .0202(d)] - In Compliance
9. Drainage rapidly eliminates excess water. [02 NCAC 52J .0202(e)] - In Compliance
10. Closed drain systems equipped with traps and installed to prevent odors and backup of sewage. [02 NCAC 52J .0202(e)] - In Compliance
11. The drainage system constructed to prevent cross-contamination among animals. [02 NCAC 52J .0202(e)] - In Compliance

.0202(b) Vents and filters are not being cleaned on a routine basis. A strong odor was present in the large dog play room. Filter was black from accumulating dirt and debris in the large dog room.

02 NCAC 52J .0203 OUTDOOR FACILITIES

1. Primary enclosures and walkways constructed of sealed concrete or other surfaces impervious to moisture. [02 NCAC 52J .0203(a)] - Not In Compliance
2. Gravel maintained at a minimum depth of six inches and kept sanitary. [02 NCAC 52J .0203(a)] - Not In Compliance
3. Outdoor housing provided allows animals to remain dry and comfortable during inclement weather. [02 NCAC 52J .0203(b)] - In Compliance
4. Housing is impervious to moisture and can be disinfected. [02 NCAC 52J .0203(b)] - Not Applicable
5. One house available for each animal within each enclosure unless the animals are a mother and her unweaned offspring. [02 NCAC 52J .0203(b)] - Not Applicable
6. In addition to the housing, the enclosure provides protection from excessive sun and inclement weather. [02 NCAC 52J .0203(c)] - In Compliance
7. Owners advised if housed outside. [02 NCAC 52J .0203(d)] - In Compliance
8. Suitable method of drainage provided. [02 NCAC 52J .0203(e)] - In Compliance

.0203(a) When I arrived at 10:06 am I noted that there were 22 dogs in the outside play yard. The door to the building was open therefore the dogs had access to the indoor and outdoor area. On the new facility inspection dated 08/01/19 the following was noted, "The large outside play yard still has areas that do not have established grass. We discussed different options to address this. They are as follows: the dogs can be leash walked to control where they go outside, more gravel can be added to cover the bare dirt areas and/or fence off the grass areas until the grass is established and keep the dogs on the gravel side". At today's inspection the manager stated that staff was told they are not allowed to use this play yard. She stated that corporate has said that the cost of gravel was too much therefore they have not added any gravel.

02 NCAC 52J .0204 PRIMARY ENCLOSURES

1. Primary enclosures constructed prevent contamination from waste and wastewater from animals in other enclosures. [02 NCAC 52J .0204(a)] - In Compliance
2. All surfaces with which an animal comes in contact impervious to moisture. [02 NCAC 52J .0204(a)] - Not In Compliance
3. For primary enclosures placed into service on or after January 1, 2005, no wood within the animal's reach. [02 NCAC 52J .0204(a)] - In Compliance

4. For primary enclosures in use in a registered facility prior to January 1, 2005, any damaged wood replaced so that so that there's no contact with wood by the animal. [02 NCAC 52J .0204(a)] - In Compliance
5. Primary enclosures structurally sound, maintained in good repair and in a manner to prevent injury to animals, and keep other animals out. [02 NCAC 52J .0204(b)] - In Compliance
6. Primary enclosures provide space to allow animal to walk, turn about freely, and to easily stand, sit, or lie in a natural position. [02 NCAC 52J .0204(b)] - In Compliance
7. The height of primary enclosures other than cage no less than five feet. [02 NCAC 52J .0204(b)] - In Compliance
8. All enclosures constructed as to prevent the escape of animals. [02 NCAC 52J .0204(b)] - In Compliance
9. Each primary enclosure provided with a solid resting surface or surfaces adequate to comfortably hold all occupants of the primary enclosure at the same time. [02 NCAC 52J .0204(c)] - In Compliance
10. All resting surfaces made of a non-porous or easily sanitized material, such as a towel, or a disposable material such as newspaper. [02 NCAC 52J .0204(c)] - In Compliance
11. The resting surface or surfaces be elevated in primary enclosures housing two or more cats. [02 NCAC 52J .0204(c)] - Not Applicable
12. In addition to Paragraph (b) of 02 NCAC 52J .0204, each dog shall be provided with the minimum square footage required by 02 NCAC .0204(d). [02 NCAC 52J .0204(d)] - In Compliance
13. Not more than four adult dogs housed in the same primary enclosure without supervision. [02 NCAC 52J .0204(d)] - In Compliance
14. If more than four dogs are housed in a common area or enclosure, then at least one person supervising each 10 dogs housed within each enclosure or common area. [02 NCAC 52J .0204(e)] - Not In Compliance
15. In addition to Paragraph (b) of 02 NCAC 52J .0204, each feline older than six months housed in any primary enclosure provided with a minimum of 4sq. ft. of floor space which may include elevated resting surfaces. [02 NCAC 52J .0204(f)] - Not Applicable
16. Each feline younger than 6 months provided 1.5 sq. ft. [02 NCAC 52J .0204(f)] - Not Applicable
17. No more than 12 cats housed in the same primary enclosure. [02 NCAC 52J .0204(f)] - Not Applicable
18. In all cat enclosures, receptacle with clean litter provided for waste. [02 NCAC 52J .0204(g)] - Not Applicable
19. A minimum of one receptacle per three cats shall be provided. [02 NCAC 52J .0204(f)] - Not Applicable

.0204(a) Baseboard tile missing in large dog play area. Rusting has begun on the bottoms of the doors in the play rooms and therefore cannot be properly sanitized. Floors in medium room have begun to chip and must be resealed/repainted. Floors in the large dog play area are so soiled that I cannot determine the condition. .0204(e) When I drove by the building to pull into the second drive I noted many dogs loose in the outside play yard. I noticed one staff member sitting outside and she was on her phone. I immediately got out of the car once parked and went straight to the outside fence. I asked the staff member how many dogs were in the enclosure. She then got up and said that she did not know. She stated that she would have to check her list upfront. This staff member is one that I have met with previously therefore I knew that she was aware of the 1:10 ratio. I said you obviously have more than 10 and she stated that the other staff member had gone to the front to see if I was dropping off a dog. The other staff member then came around the corner and she was asked if she knew how many dogs they had. She also said, "No, I will have to check the list upfront". I stated that it was obvious there were over 20 dogs. We all counted and there were 22 dogs. I explained to them both that the ratio is 1:10 and that they need to always prepare for that even when someone has to step out for any given amount of time. I asked that they split the dogs up so that they could be in compliance. At that time I went into the front lobby and the Manager came down from the vet's office. I told her about the numbers being out of compliance in the play yard. She stated that this was on a daily task sheet as a reminder and that they were not supposed to have dogs in the play yard free roaming. As we are doing the inspection I noted that there were 4 dogs moved into a room unsupervised that has not been approved for daycare. There was no water or water receptacle for these dogs. I asked that these dogs be put into the stainless bank cages and that water be given to them. Once the dogs were put up we entered to inspect the room. Three of the dogs were in the enclosures with water. One dog was put in the outside runs that also have not been approved for housing animals and was told at new inspection that these kennels would not be used. Manager stated that this dog belonged to a staff member. .0201(k) states, "All Animals in a facility are subject to the requirements of the Animal Welfare Act, regardless of ownership. There was no water or water receptacle for this dog. The inside edge of the door to the Large dog lay room was covered with dog prints/dirt which lead the manager and myself to believe that the door is left open at times and the dogs are allowed to play in the hall which again is not an approved area for housing or exercising animals.

02 NCAC 52J .0205 FEEDING

Dogs and cats fed at least once each 24-hour period except as otherwise might be required to provide adequate veterinary care. [02 NCAC 52J .0205(a)]

1. Food is commercially prepared food complying with laws applicable to animal feed or the food provided by the owner. [02 NCAC 52J .0205(a)] - In Compliance
2. The food is free from contamination, wholesome, palatable, and of adequate quality and quantity appropriate for the given size, age, and condition of an animal meeting the daily requirements for nutritional value. [02 NCAC 52J .0205(a)] - In Compliance
3. Puppies and kittens less than six months of age fed at least twice in each 24-hour period. An eight-hour interval between feedings if only two feedings are offered in a 24-hour period. [02 NCAC 52J .0205(a)] - In Compliance
4. Food receptacles accessible to all dogs or cats. [02 NCAC 52J .0205(b)] - In Compliance
5. Food receptacles located to minimize contamination by waste. [02 NCAC 52J .0205(b)] - In Compliance
6. For every adult animal, at least one food receptacle offered. [02 NCAC 52J .0205(b)] - In Compliance
7. Food receptacles durable, clean and sanitized. [02 NCAC 52J .0205(b)] - In Compliance
8. Damaged receptacles replaced. [02 NCAC 52J .0205(b)] - In Compliance
9. Disposable food receptacles discarded after each feeding. [02 NCAC 52J .0205(b)] - In Compliance

10. Food and water receptacles in outdoor facilities protected from the elements. [02 NCAC 52J .0205(c)] - In Compliance

02 NCAC 52J .0206 WATERING

1. Continuous access to fresh water, except as might otherwise be required to provide adequate veterinary care. [02 NCAC 52J .0206] - Needs Improvement
2. Watering receptacles durable, clean and sanitized. [02 NCAC 52J .0206] - In Compliance
3. Damaged receptacles replaced. [02 NCAC 52J .0206] - In Compliance

Four dogs moved into room not approved for housing were left without water or a water receptacle.

02 NCAC 52J .0207 SANITATION

1. Waste removed from primary enclosures and exercise areas to prevent contamination of the dogs or cats and to reduce disease hazards and odors. [02 NCAC 52J .0207(a)] - In Compliance
2. Enclosures and exercise areas for dogs and cats properly cleaned a minimum of two times per day. [02 NCAC 52J .0207(a)] - Not In Compliance
3. The animal must be able to walk or lie down without coming in contact with any waste or debris. [02 NCAC 52J .0207(a)] - Not In Compliance
4. When a hosing or flushing method is used for cleaning an enclosure, animals are removed during the cleaning process, and measures taken to protect the animals in other such enclosures from being contaminated with water and other wastes. [02 NCAC 52J .0207(a)] - In Compliance
5. Prior to the introduction of dogs or cats into empty primary enclosures previously occupied, enclosures and accessories sanitized in the manner provided in 02 NCAC 52J .0207(b)(3). [02 NCAC 52J .0207(b)(1)] - In Compliance
6. In addition to primary enclosures being properly cleaned a minimum of two times per day, if the same animal is housed in the same enclosure more than seven days, enclosures and accessories sanitized at least once every seven days in the manner provided in 02 NCAC 52J .0207(b)(3). [02 NCAC 52J .0207(b)(1)] - In Compliance
7. Cages, rooms and hard-surfaced pens or runs be sanitized by:
 - washing them with hot water (180 degrees F.) and soap or detergent as in a mechanical cage washer; or - Not In Compliance
 - washing all soiled surfaces with a detergent solution to remove all organic matter followed by application of a safe and effective disinfectant; or - Not In Compliance
 - cleaning all soiled surfaces with live steam. [02 NCAC 52J .0207(3)(A-C)] - Not Applicable
8. Food and water receptacles sanitized daily with hot water, detergent, and disinfectant. [02 NCAC 52J .0207(b)(4)] - In Compliance
9. Soiled linens and cloth products mechanically washed with detergent and sanitized. [02 NCAC 52J .0207(b)(5)] - In Compliance
10. Any area accessible to multiple animals kept clean and sanitary. [02 NCAC 52J .0207(b)(6)] - Not In Compliance
11. Premises (buildings and grounds) kept clean and in good repair to protect the animals from injury and to facilitate the prescribed husbandry practices set forth in this Rule. [02 NCAC 52J .0207(c)] - Not In Compliance
12. Premises are free of accumulations of trash, junk, waste products, and discarded matter. [02 NCAC 52J .0207(c)] - In Compliance
13. Weeds, grasses, and bushes controlled. [02 NCAC 52J .0207(c)] - In Compliance
14. Effective program for the control of insects, ectoparasites, and avian and mammalian pests [02 NCAC 52J .0207(d)] - In Compliance

Walking into the large dog play room I immediately noticed that the floor was covered in dirty dog tracks. There was no area of floor that was clean. The corners and edges of the walls had a thick build up of dirt/debris. The inside edge of the door was also dirty which appears that the door is left open at times and the dogs are allowed to play in the hall. There was a very strong odor in this room. Staff stated that she cleaned the floors last night. Cleaning time on the application does show 12:00 pm however the AWA states that the animal must be able to walk or lie down without coming in contact with any waste or debris. In the outside play yard the leaves are building up on the concrete at the fence line. This can cause the urine and fecal matter to build up in the leaves.

02 NCAC 52J .0208 EMPLOYEES

1. Sufficient number of employees. [02 NCAC 52J .0208] - Not In Compliance
2. Supervision of an animal caretaker who has a background in animal husbandry or care. [02 NCAC 52J .0208] - In Compliance

At the time of the inspection there was not an adequate amount of staff available to provide for the number of dogs being housed. There were 28 dogs and 2 staff members. There are 3 play rooms therefore if dogs were divided up sufficient staff is not available to maintain the 1:10 ratio and run the desk when clients come in.

02 NCAC 52J .0209 CLASSIFICATION AND SEPARATION

1. Animals in the same primary enclosure maintained in compatible groups. [02 NCAC 52J .0209] - In Compliance
2. Females in season (estrus) not be housed in the same primary enclosure with males except for planned breeding. [02 NCAC 52J .0209(1)] - In Compliance
3. Written permission for comingling. [02 NCAC 52J .0209(2)] - In Compliance
4. Aggressive animals housed individually in a primary enclosure. [02 NCAC 52J .0209(2)] - In Compliance

5. Puppies or kittens less than four months of age housed in the same primary enclosure with adults without written permission. [02 NCAC 52J .0209(3)] - In Compliance
6. Puppies or kittens between 4 and 16 weeks of age have daily access to human social interaction. [02 NCAC 52J .0209(3)] - In Compliance
7. Dogs not housed in the same primary enclosure with cats; dogs or cats not housed in the same primary enclosure with any other species of animals without written permission. [02 NCAC 52J .0209(4)] - In Compliance
8. Designated isolation area for animals being treated or observed for communicable diseases. [02 NCAC 52J .0209(5)] - In Compliance
9. Dogs or cats in isolation that are being treated for a communicable disease separated as to minimize dissemination of disease. [02 NCAC 52J .0209(5)] - In Compliance
10. A sign posted at the cage or isolation area when in use. [02 NCAC 52J .0209(5)] - In Compliance
11. All animals confined in primary enclosures or exercise areas. [02 NCAC 52J .0209(7)] - In Compliance

02 NCAC 52J .0210 VETERINARY CARE

1. Written program of veterinary care. [02 NCAC 52J .0210(a)] - In Compliance
2. Veterinarian's written recommendations for correcting disease problem that persists for more than 30 days obtained and followed [02 NCAC 52J .0210(b)] - In Compliance
3. Daily observation of animals. [02 NCAC 52J .0210(c)] - In Compliance
4. Sick or diseased, injured, lame, or blind dogs or cats provided with veterinary care [02 NCAC 52J .0210(c)] - In Compliance
5. Diseased or deformed animals sold or adopted only under the policy set forth in the "Program of Veterinary Care." [02 NCAC 52J .0210(c)] - In Compliance
6. All animals in a licensed or registered facility in compliance with the North Carolina rabies law, G.S. 130A, Article 6, Part 6 [02 NCAC 52J .0210(d)] - In Compliance

02 NCAC 52J .0301 VEHICLES

1. Vehicles mechanically sound. [02 NCAC 52J .0301(a)] - Not Applicable
2. Vehicles equipped to provide fresh air to animals without harmful drafts. [02 NCAC 52J .0301(a)] - Not Applicable
3. The animal cargo space constructed and maintained to prevent engine exhaust fumes from getting to the animals. [02 NCAC 52J .0301(b)] - Not Applicable
4. The interior of the animal cargo space kept clean and sanitized. [02 NCAC 52J .0301(c)] - Not Applicable

02 NCAC 52J .0302 PRIMARY ENCLOSURES USED IN TRANSPORTING DOGS AND CATS

1. Primary enclosures constructed, ventilated and designed to protect the health and insure the safety of the animals. [02 NCAC 52J .0302(a)] - Not Applicable
2. Such enclosures constructed or positioned so that:
 - Each animal in the vehicle has sufficient fresh air for normal breathing. [02 NCAC 52J .0302(a)(1)] - Not Applicable
 - The openings of enclosures are easily accessible for emergency removals. [02 NCAC 52J .0302(a)(2)] - Not Applicable
 - The animals are adequately protected from the elements. [02 NCAC 52J .0302(a)(3)] - Not Applicable
3. The ambient temperature maintained between 50°F and 85°F. [02 NCAC 52J .0302(a)] - Not Applicable
4. The animal containment units are equipped with operable air-conditioning, forced-air cooling and heating or other temperature control mechanisms. [02 NCAC 52J .0302(a)] - Not Applicable
5. Animals in the same primary enclosure are of the same species. [02 NCAC 52J .0302(b)] - Not Applicable
6. Puppies or kittens less than 4 months of age not be transported in the same primary enclosures with adults other than their dams. [02 NCAC 52J .0302(b)] - Not Applicable
7. Primary enclosures for transport large enough for each animal to turn about freely, and to easily stand, sit or lie down in a natural position. [02 NCAC 52J .0302(c)] - Not Applicable
8. Primary enclosures for transport secured to the vehicle to prevent sliding or tipping of the enclosure during transit. [02 NCAC 52J .0302(c)] - Not Applicable
9. Animals not be placed in primary enclosure over other animals in transit unless such enclosure is constructed so as to prevent animal excreta from entering lower enclosures. [02 NCAC 52J .0302(d)] - Not Applicable
10. All primary enclosures for transport sanitized between use for shipments. [02 NCAC 52J .0302(e)] - Not Applicable

02 NCAC 52J .0303 FOOD AND WATER REQUIREMENTS

1. If animals are transported for more than 12 hours:
 - The vehicles stop at least once every 12 hours for a period of 1 hour. During the 1-hour stop, potable water continuously provided for dogs and cats. [02 NCAC 52J .0303(1)] - Not Applicable
 - Adult dogs and cats fed at least once during each 24-hour period. [02 NCAC 52J .0303(2)] - Not Applicable
 - Puppies and kittens less than 6 months of age fed every 6 hours. [02 NCAC 52J .0303(2)] - Not Applicable
 - Dogs removed from the vehicle, given fresh water and given the opportunity for exercise if they have been confined in the vehicle for 36 hours. [02 NCAC 52J .0303(3)] - Not Applicable

02 NCAC 52J .0304 CARE IN TRANSIT

1. The attendant or driver inspects animals frequently enough to assure health and comfort and to determine if they need emergency care and to obtain it if needed. [02 NCAC 52J .0304] - Not Applicable

General Comments:

Random inspection performed.

Inspection Result:

Disapproved

Inspector's Signature		Date
Christie Shore		11/21/2019
Facility Representative's Signature		Date
Morgan Smith		11/21/2019

**Animal Welfare Section
NC Department of Agriculture and Consumer Services
1030 Mail Service Center
Raleigh, NC 27699-1030**

Phone: (919) 707-3280 Fax: (919) 733-6431
Email: agr.aws@ncagr.gov
Website: www.ncaws.com

Facility Compliance Inspection - Boarding Kennel

Approved - 08/01/2019

Facility Name: Thomasville Vet Hospital	License Number:
Owner: Dr. Karl Millren	
Address: 712 Brookdale Dr	
City: Thomasville	Zip Code:
County: Davidson	
Phone:	Email: morgan.smith@thomasvilevh.com
Latitude:	Longitude:
Total Enclosures: 29	
Dogs on Premise: 0	Cats on Premise: 0
Capacity (Dogs): 50	Capacity (Cats):
Type of Inspection: Annual Inspection	Date of Inspection: 08/01/2019

02 NCAC 52J .0102 RECORDS

1. Name and address of owner, date of entry, signature and date for release. [02 NCAC 52J .0102(1)] - In Compliance
2. Description [02 NCAC 52J .0102(2)] - In Compliance
3. Record of veterinary care. [02 NCAC 52J .0102(3)] - In Compliance

02 NCAC 52J .0103 INSPECTION OF RECORDS

1. Records available upon request. [02 NCAC 52J .0103] - In Compliance
2. Animals matched to record. [02 NCAC 52J .0103] - In Compliance
3. Records retained for 1 year; [02 NCAC 52J .0103]; see section for §19A-32.1(j) for records to be retained for 3 years - In Compliance

02 NCAC 52J .0201 GENERAL

1. Housing facilities structurally sound and maintained in good repair. [02 NCAC 52J .0201(a)] - In Compliance
2. Housing facilities contain the animals and restrict entry of other animals and people. [02 NCAC 52J .0201(a)] - In Compliance
3. Light fixtures and electrical outlets in animal areas in compliance with the State Building Code. [02 NCAC 52J .0201(b)] - In Compliance
4. Electric power reliable and safe. [02 NCAC 52J .0201(c)] - In Compliance
5. Supplies of food and bedding stored and adequately protected against infestation or contamination by vermin and insects. [02 NCAC 52J .0201(d)] - In Compliance
6. Open bags of food stored in airtight containers with lids. [02 NCAC 52J .0201(d)] - In Compliance
7. Refrigeration for perishable food. [02 NCAC 52J .0201(d)] - In Compliance
8. Daily removal and disposal of animal and food waste, bedding and debris; facility maintained in a clean and sanitary manner. [02 NCAC 52J .0201(e)] - In Compliance
9. Hot and cold running potable water available. [02 NCAC 52J .0201(f)] - In Compliance
10. Washroom, basin or sink provided to maintain cleanliness among animal caretakers, animals, and animal food and water receptacles. [02 NCAC 52J .0201(f)] - In Compliance
11. Ability to confirm ambient temperature. [02 NCAC 52J .0201(g)] - In Compliance
12. A separate five-foot perimeter fence if any animals have access to an outdoor enclosure, including unsupervised exercise areas. [02 NCAC 52J .0201(h)] - In Compliance
13. Adequate drainage system [02 NCAC 52J .0201(i)] - In Compliance
14. All areas of a facility available for review or inspection during normal business hours. [02 NCAC 52J .0201(j)] - In Compliance

13. Weeds, grasses, and bushes controlled. [02 NCAC 52J .0207(c)] - In Compliance
14. Effective program for the control of insects, ectoparasites, and avian and mammalian pests [02 NCAC 52J .0207(d)] - In Compliance

02 NCAC 52J .0208 EMPLOYEES

1. Sufficient number of employees. [02 NCAC 52J .0208] - In Compliance
2. Supervision of an animal caretaker who has a background in animal husbandry or care. [02 NCAC 52J .0208] - In Compliance

02 NCAC 52J .0209 CLASSIFICATION AND SEPARATION

1. Animals in the same primary enclosure maintained in compatible groups. [02 NCAC 52J .0209] - In Compliance
2. Females in season (estrus) not be housed in the same primary enclosure with males except for planned breeding. [02 NCAC 52J .0209(1)] - In Compliance
3. Written permission for comingling. [02 NCAC 52J .0207(2)] - In Compliance
4. Aggressive animals housed individually in a primary enclosure. [02 NCAC 52J .0207(2)] - In Compliance
5. Puppies or kittens less than four months of age housed in the same primary enclosure with adults without written permission. [02 NCAC 52J .0209(3)] - In Compliance
6. Puppies or kittens between 4 and 16 weeks of age have daily access to human social interaction. [02 NCAC 52J .0209(3)] - In Compliance
7. Dogs not housed in the same primary enclosure with cats; dogs or cats not housed in the same primary enclosure with any other species of animals without written permission. [02 NCAC 52J .0209(4)] - In Compliance
8. Designated isolation area for animals being treated or observed for communicable diseases. [02 NCAC 52J .0209(5)] - In Compliance
9. Dogs or cats in isolation that are being treated for a communicable disease separated as to minimize dissemination of disease. [02 NCAC 52J .0209(5)] - In Compliance
10. A sign posted at the cage or isolation area when in use. [02 NCAC 52J .0209(5)] - In Compliance
11. All animals confined in primary enclosures or exercise areas. [02 NCAC 52J .0209(7)] - In Compliance

02 NCAC 52J .0210 VETERINARY CARE

1. Written program of veterinary care. [02 NCAC 52J .0210(a)] - In Compliance
2. Veterinarian's written recommendations for correcting disease problem that persists for more than 30 days obtained and followed [02 NCAC 52J .0210(b)] - In Compliance
3. Daily observation of animals. [02 NCAC 52J .0210(c)] - In Compliance
4. Sick or diseased, injured, lame, or blind dogs or cats provided with veterinary care [02 NCAC 52J .0210(c)] - In Compliance
5. Diseased or deformed animals sold or adopted only under the policy set forth in the "Program of Veterinary Care." [02 NCAC 52J .0210(c)] - In Compliance
6. All animals in a licensed or registered facility in compliance with the North Carolina rabies law, G.S. 130A, Article 6, Part 6. [02 NCAC 52J .0210(d)] - In Compliance

02 NCAC 52J .0301 VEHICLES

1. Vehicles mechanically sound. [02 NCAC 52J .0301(a)] - Not Applicable
2. Vehicles equipped to provide fresh air to animals without harmful drafts. [02 NCAC 52J .0301(a)] - Not Applicable
3. The animal cargo space constructed and maintained to prevent engine exhaust fumes from getting to the animals. [02 NCAC 52J .0301(b)] - Not Applicable
4. The interior of the animal cargo space kept clean and sanitized. [02 NCAC 52J .0301(c)] - Not Applicable

02 NCAC 52J .0302 PRIMARY ENCLOSURES USED IN TRANSPORTING DOGS AND CATS

1. Primary enclosures constructed, ventilated and designed to protect the health and insure the safety of the animals. [02 NCAC 52J .0302(a)] - Not Applicable
2. Such enclosures constructed or positioned so that:
 - Each animal in the vehicle has sufficient fresh air for normal breathing. [02 NCAC 52J .0302(a)(1)] - Not Applicable
 - The openings of enclosures are easily accessible for emergency removals. [02 NCAC 52J .0302(a)(2)] - Not Applicable
 - The animals are adequately protected from the elements. [02 NCAC 52J .0302(a)(3)] - Not Applicable
3. The ambient temperature maintained between 50°F and 85°F. [02 NCAC 52J .0302(a)] - Not Applicable
4. The animal containment units are equipped with operable air-conditioning, forced-air cooling and heating or other temperature control mechanisms. [02 NCAC 52J .0302(a)] - Not Applicable
5. Animals in the same primary enclosure are of the same species. [02 NCAC 52J .0302(b)] - Not Applicable
6. Puppies or kittens less than 4 months of age not be transported in the same primary enclosures with adults other than their dams. [02 NCAC 52J .0302(b)] - Not Applicable
7. Primary enclosures for transport large enough for each animal to turn about freely, and to easily stand, sit or lie down in a natural position. [02 NCAC 52J .0302(c)] - Not Applicable

8. Primary enclosures for transport secured to the vehicle to prevent sliding or tipping of the enclosure during transit. [02 NCAC 52J .0302(c)] - Not Applicable
9. Animals not be placed in primary enclosure over other animals in transit unless such enclosures is constructed so as to prevent animal excreta from entering lower enclosures. [02 NCAC 52J .0302(d)] - Not Applicable
10. All primary enclosures for transport sanitized between use for shipments. [02 NCAC 52J .0302(e)] - Not Applicable

02 NCAC 52J .0303 FOOD AND WATER REQUIREMENTS

1. If animals are transported for more than 12 hours:
 - The vehicles stop at least once every 12 hours for a period of 1 hour. During the 1-hour stop, potable water continuously provided for dogs and cats. [02 NCAC 52J .0303(1)]- Not Applicable
 - Adult dogs and cats fed at least once during each 24-hour period. [02 NCAC 52J .0303(2)]- Not Applicable
 - Puppies and kittens less than 6 months of age fed every 6 hours. [02 NCAC 52J .0303(2)]- Not Applicable
 - Dogs removed from the vehicle, given fresh water and given the opportunity for exercise if they have been confined in the vehicle for 36 hours. [02 NCAC 52J .0303(3)]- Not Applicable

02 NCAC 52J .0304 CARE IN TRANSIT

1. The attendant or driver inspects animals frequently enough to assure health and comfort and to determine if they need emergency care and to obtain it if needed. [02 NCAC 52J .0304] - Not Applicable

General Comments:

New inspection performed. This facility is for daycare only. All areas are in compliance with the exception of the large outside play area but it will be addressed by one of the options discussed at the inspection.

Inspection Result:

Approved

Inspector's Signature	Date
Christie Shore	08/01/2019
Facility Representative's Signature	Date
Morgan Smith	08/01/2019

**Animal Welfare Section
NC Department of Agriculture and Consumer Services
1030 Mail Service Center
Raleigh, NC 27699-1030**

Phone: (919) 707-3280 Fax: (919) 733-6431
Email: agr.aws@ncagr.gov
Website: www.ncaws.com

Facility Compliance Inspection - Boarding Kennel

Disapproved - 01/09/2020

Facility Name: THOMASVILLE VETERINARY HOSPITAL	License Number: 20529
Owner: KARL MILLIREN, DVM	
Address: 712 BROOKDALE DRIVE	
City: THOMASVILLE	Zip Code: 27360
County: DAVIDSON	
Phone:	Email: THOMASVILLEVET@NORTHSTATE.NET
Latitude:	Longitude:
Total Enclosures: 29	
Dogs on Premise: 21	Cats on Premise: 0
Capacity (Dogs): 50	Capacity (Cats):
Type of Inspection: Follow-up Inspection	Date of Inspection: 01/09/2020

02 NCAC 52J .0102 RECORDS

1. Name and address of owner, date of entry, signature and date for release. [02 NCAC 52J .0102 (1)] - In Compliance
2. Description [02 NCAC 52J .0102(2)] - In Compliance
3. Record of veterinary care. [02 NCAC 52J .0102(3)] - In Compliance

02 NCAC 52J .0103 INSPECTION OF RECORDS

1. Records available upon request. [02 NCAC 52J .0103] - In Compliance
2. Animals matched to record. [02 NCAC 52J .0103] - In Compliance
3. Records retained for 1 year; [02 NCAC 52J .0103]; see section for §19A-32.1(j) for records to be retained for 3 years - In Compliance

02 NCAC 52J .0201 GENERAL

1. Housing facilities structurally sound and maintained in good repair. [02 NCAC 52J .0201(a)] - In Compliance
2. Housing facilities contain the animals and restrict entry of other animals and people. [02 NCAC 52J .0201(a)] - In Compliance
3. Light fixtures and electrical outlets in animal areas in compliance with the State Building Code. [02 NCAC 52J .0201(b)] - In Compliance
4. Electric power reliable and safe. [02 NCAC 52J .0201(c)] - In Compliance
5. Supplies of food and bedding stored and adequately protected against infestation or contamination by vermin and insects. [02 NCAC 52J .0201(d)] - In Compliance
6. Open bags of food stored in airtight containers with lids. [02 NCAC 52J .0201(d)] - In Compliance
7. Refrigeration for perishable food. [02 NCAC 52J .0201(d)] - In Compliance
8. Daily removal and disposal of animal and food waste, bedding and debris; facility maintained in a clean and sanitary manner. [02 NCAC 52J .0201(e)] - In Compliance
9. Hot and cold running, potable water available. [02 NCAC 52J .0201(f)] - In Compliance
10. Washroom, basin or sink provided to maintain cleanliness among animal caretakers, animals, and animal food and water receptacles. [02 NCAC 52J .0201(f)] - In Compliance
11. Ability to confirm ambient temperature. [02 NCAC 52J .0201(g)] - In Compliance
12. A separate five-foot perimeter fence if any animals have access to an outdoor enclosure, including unsupervised exercise areas. [02 NCAC 52J .0201(h)] - In Compliance
13. Adequate drainage system. [02 NCAC 52J .0201(i)] - In Compliance
14. All areas of a facility available for review or inspection during normal business hours. [02 NCAC 52J .0201(j)] - In Compliance
15. All animals in a facility subject to the requirements of the Animal Welfare Act, regardless of ownership. [02 NCAC 52J .0201(k)] - In Compliance
16. Compliance with all federal, state and local laws, rules and ordinances relating to or affecting the welfare of dogs and cats in its facility. [02 NCAC 52J .0201(l)] - In Compliance
17. No dog or cat present in a window display except during business hours and in compliance with standards set forth in this Section. [02 NCAC 52J .0201(m)] - In Compliance

At the time of inspection there were no open bags of food/treats as noted on previous inspection dated 11-21-19. No dogs were housed in the right side play yard.

02 NCAC 52J .0202 INDOOR FACILITIES

1. Indoor housing facilities adequately heated and cooled. [02 NCAC 52J .0202(a)] - In Compliance
2. Ambient temperature between 50°F and 85°F. [02 NCAC 52J .0202(a)] - In Compliance
3. Indoor housing facilities adequately ventilated. [02 NCAC 52J .0202(b)] - In Compliance

4. Fresh air and ventilation provided and drafts minimized. [02 NCAC 52J .0202(b)] - In Compliance
5. Air flow adequate to minimize odors and moisture condensation. [02 NCAC 52J .0202(b)] - In Compliance
6. Indoor housing facilities adequately illuminated. [02 NCAC 52J .0202(c)] - In Compliance
7. Illumination provides regular diurnal lighting cycles and be uniformly diffused [02 NCAC 52J .0202(c)] - In Compliance
8. Interior building surfaces are impervious to moisture and can be readily sanitized. [02 NCAC 52J .0202(d)] - In Compliance
9. Drainage rapidly eliminates excess water. [02 NCAC 52J .0202(e)] - In Compliance
10. Closed drain systems equipped with traps and installed to prevent odors and backup of sewage. [02 NCAC 52J .0202(e)] - In Compliance
11. The drainage system constructed to prevent cross-contamination among animals. [02 NCAC 52J .0202(e)] - In Compliance

Staff stated that the filters are being changed out every 2 weeks. The filter in the small dog area was clean. The filter in the large dog area was due to be changed again, however the outside vent cover was clean.

02 NCAC 52J .0203 OUTDOOR FACILITIES

1. Primary enclosures and walkways constructed of sealed concrete or other surfaces impervious to moisture. [02 NCAC 52J .0203(a)] - **Not In Compliance**
2. Gravel maintained at a minimum depth of six inches and kept sanitary. [02 NCAC 52J .0203 (a)] - **Not In Compliance**
3. Outdoor housing provided allows animals to remain dry and comfortable during inclement weather. [02 NCAC 52J .0203(b)] - In Compliance
4. Housing is impervious to moisture and can be disinfected. [02 NCAC 52J .0203(b)] - Not Applicable
5. One house available for each animal within each enclosure unless the animals are a mother and her unweaned offspring. [02 NCAC 52J .0203(b)] - Not Applicable
6. In addition to the housing, the enclosure provides protection from excessive sun and inclement weather. [02 NCAC 52J .0203(c)] - In Compliance
7. Owners advised if housed outside. [02 NCAC 52J .203(d)] - In Compliance
8. Suitable method of drainage provided. [02 NCAC 52J .0203(e)] - In Compliance

.0203(a) Upon arrival in the parking lot I noted that there were 13 dogs in the outside play yard with one staff member. The area through the fence opening does not have established grass and the manager stated at the last inspection dated 11-21-19 that this area would not be used until it was in compliance. This inadequacy was noted on inspection reports dated 8-1-19 and 11-21-19. I have instructed the manager to put up a temporary fence closing off the dirt filled area so that the dogs can only be on the side that has rock and concrete. This area must be cleared of all accumulation of leaves before allowing the dogs free roam.

02 NCAC 52J .0204 PRIMARY ENCLOSURES

1. Primary enclosures constructed prevent contamination from waste and wastewater from animals in other enclosures. [02 NCAC 52J .0204(a)] - In Compliance

2. All surfaces with which an animal comes in contact impervious to moisture. [02 NCAC 52J .0204(a)] - **Not In Compliance**
3. For primary enclosures placed into service on or after January 1, 2005, no wood within the animal's reach. [02 NCAC 52J .0204(a)] - In Compliance
4. For primary enclosures in use in a registered facility prior to January 1, 2005, any damaged wood replaced so that so that there's no contact with wood by the animal. [02 NCAC 52J .0204(a)] - In Compliance
5. Primary enclosures structurally sound, maintained in good repair and in a manner to prevent injury to animals, and keep other animals out. [02 NCAC 52J .0204(b)] - In Compliance
6. Primary enclosures provide space to allow animal to walk, turn about freely, and to easily stand, sit, or lie in a natural position. [02 NCAC 52J .0204(b)] - In Compliance
7. The height of primary enclosures other than cage no less than five feet. [02 NCAC 52J .0204(b)] - In Compliance
8. All enclosures constructed as to prevent the escape of animals. [02 NCAC 52J .0204(b)] - In Compliance
9. Each primary enclosure provided with a solid resting surface or surfaces adequate to comfortably hold all occupants of the primary enclosure at the same time. [02 NCAC 52J .0204(c)] - In Compliance
10. All resting surfaces made of a non-porous or easily sanitized material, such as a towel, or a disposable material such as newspaper. [02 NCAC 52J .0204(c)] - In Compliance
11. The resting surface or surfaces be elevated in primary enclosures housing two or more cats. [02 NCAC 52J .0204(c)] - Not Applicable
12. In addition to Paragraph (b) of 02 NCAC 52J .0204, each dog shall be provided with the minimum square footage required by 02 NCAC .0204(d). [02 NCAC 52J .0204(d)] - In Compliance
13. Not more than four adult dogs housed in the same primary enclosure without supervision. [02 NCAC 52J .0204(d)] - In Compliance
14. If more than four dogs are housed in a common area or enclosure, then at least one person supervising each 10 dogs housed within each enclosure or common area. [02 NCAC 52J .0204(e)] - **Not In Compliance**
15. In addition to Paragraph (b) of 02 NCAC 52J .0204, each feline older than six months housed in any primary enclosure provided with a minimum of 4sq ft. of floor space which may include elevated resting surfaces. [02 NCAC 52J .0204(f)] - Not Applicable
16. Each feline younger than 6 months provided 1.5 sq. ft. [02 NCAC 52J .0204(f)] - Not Applicable
17. No more than 12 cats housed in the same primary enclosure. [02 NCAC 52J .0204(f)] - Not Applicable
18. In all cat enclosures, receptacle with clean litter provided for waste. [02 NCAC 52J .0204(g)] - Not Applicable
19. A minimum of one receptacle per three cats shall be provided. [02 NCAC 52J .0204(f)] - Not Applicable

.0204(a) Baseboard tile still missing on large dog play area. Manager stated that she had put the tile on numerous times but it kept coming off therefore she told staff to throw it away as she has extras in the attic. I noted that the missing tile was on a shelf on the adjacent wall. This needs to be affixed immediately. Floors in medium and large need to be resealed/painted. .0204(e) When I pulled into the parking lot I noted 13 dogs in the large outside play area with only 1 staff member. The manager stated that the staff has been told to maintain the 1:10 ratio and that if they were over they were supposed to kennel dogs there or at the veterinary office building

(especially the staff's dog which was 5 dogs). Drain hole in the large dog room floor still remains without a cover. This could pose a danger to the dogs if they step in this drain. These inadequacies noted were also noted on the disapproved inspection dated 11-21-19. At today's inspection there were two plastic chairs that are chewed/damaged therefore they cannot be properly sanitized. Manager stated she would remove the chairs.

02 NCAC 52J .0205 FEEDING

Dogs and cats fed at least once each 24-hour period except as otherwise might be required to provide adequate veterinary care. [02 NCAC 52J .0205(a)]

1. Food is commercially prepared food complying with laws applicable to animal feed or the food provided by the owner. [02 NCAC 52J .0205(a)] - In Compliance
2. The food is free from contamination, wholesome, palatable, and of adequate quality and quantity appropriate for the given size, age, and condition of an animal meeting the daily requirements for nutritional value. [02 NCAC 52J .0205(a)] - In Compliance
3. Puppies and kittens less than six months of age fed at least twice in each 24-hour period. An eight-hour interval between feedings if only two feedings are offered in a 24-hour period. [02 NCAC 52J .0205(a)] - In Compliance
4. Food receptacles accessible to all dogs or cats. [02 NCAC 52J .0205(b)] - In Compliance
5. Food receptacles located to minimize contamination by waste. [02 NCAC 52J .0205(b)] - In Compliance
6. For every adult animal, at least one food receptacle offered. [02 NCAC 52J .0205(b)] - In Compliance
7. Food receptacles durable, clean and sanitized. [02 NCAC 52J .0205(b)] - In Compliance
8. Damaged receptacles replaced. [02 NCAC 52J .0205(b)] - In Compliance
9. Disposable food receptacles discarded after each feeding. [02 NCAC 52J .0205(b)] - In Compliance
10. Food and water receptacles in outdoor facilities protected from the elements. [02 NCAC 52J .0205(c)] - In Compliance

02 NCAC 52J .0206 WATERING

1. Continuous access to fresh water, except as might otherwise be required to provide adequate veterinary care. [02 NCAC 52J .0206] - **Not In Compliance**
2. Watering receptacles durable, clean and sanitized. [02 NCAC 52J .0206] - In Compliance
3. Damaged receptacles replaced. [02 NCAC 52J .0206] - In Compliance

One dog was found in the stainless steel bank enclosures without water or a water receptacle. Four dogs were noted on the disapproved inspection dated 11-21-19 without water.

02 NCAC 52J .0207 SANITATION

1. Waste removed from primary enclosures and exercise areas to prevent contamination of the dogs or cats and to reduce disease hazards and odors. [02 NCAC 52J .0207(a)] - In Compliance
2. Enclosures and exercise areas for dogs and cats properly cleaned a minimum of two times per day. [02 NCAC 52J .0207(a)] - **Not In Compliance**

3. The animal must be able to walk or lie down without coming in contact with any waste or debris. [02 NCAC 52J .0207(a)] - Needs Improvement
4. When a hosing or flushing method is used for cleaning an enclosure, animals are removed during the cleaning process, and measures taken to protect the animals in other such enclosures from being contaminated with water and other wastes. [02 NCAC 52J .0207(a)] - In Compliance
5. Prior to the introduction of dogs or cats into empty primary enclosures previously occupied, enclosures and accessories sanitized in the manner provided in 02 NCAC 52J .0207(b)(3). [02 NCAC 52J .0207(b)(1)] - In Compliance
6. In addition to primary enclosures being properly cleaned a minimum of two times per day, if the same animal is housed in the same enclosure more than seven days, enclosures and accessories sanitized at least once every seven days in the manner provided in 02 NCAC 52J .0207(b)(3). [02 NCAC 52J .0207(b)(1)] - In Compliance
7. Cages, rooms and hard-surfaced pens or runs be sanitized by:
 - washing them with hot water (180 degrees F.) and soap or detergent as in a mechanical cage washer; or - **Not In Compliance**
 - washing all soiled surfaces with a detergent solution to remove all organic matter followed by application of a safe and effective disinfectant; or - **Not In Compliance**
 - cleaning all soiled surfaces with live steam. [02 NCAC 52J .0207(3)(A-C)] - Not Applicable
8. Food and water receptacles sanitized daily with hot water, detergent, and disinfectant. [02 NCAC 52J .0207(b)(4)] - In Compliance
9. Soiled linens and cloth products mechanically washed with detergent and sanitized. [02 NCAC 52J .0207(b)(5)] - In Compliance
10. Any area accessible to multiple animals kept clean and sanitary. [02 NCAC 52J .0207(b)(6)] - **Not In Compliance**
11. Premises (buildings and grounds) kept clean and in good repair to protect the animals from injury and to facilitate the prescribed husbandry practices set forth in this Rule. [02 NCAC 52J .0207(c)] - **Not In Compliance**
12. Premises are free of accumulations of trash, junk, waste products, and discarded matter. [02 NCAC 52J .0207(c)] - Needs Improvement
13. Weeds, grasses, and bushes controlled. [02 NCAC 52J .0207(c)] - In Compliance
14. Effective program for the control of insects, ectoparasites, and avian and mammalian pests [02 NCAC 52J .0207(d)] - In Compliance

As noted on the disapproved inspection dated 11-21-19 it was found at today's inspection that the walls of the play rooms are not being cleaned on a routine basis. The floors in large were again today showing tracks and dirt appearing to not being cleaned on a routine basis. In the outside play yard the leaves are still accumulated at the fence line in the large outside play yard. Manager stated that she has ordered a new pressure washer to help with the cleaning but it has not been delivered.

02 NCAC 52J .0208 EMPLOYEES

1. Sufficient number of employees. [02 NCAC 52J .0208] - **Not In Compliance**
2. Supervision of an animal caretaker who has a background in animal husbandry or care. [02 NCAC 52J .0208] - In Compliance

Being that the ratios were not in compliance at this inspection as well as the disapproved inspection sufficient amount of staff was not available. Staff stated that they have another employee that it normally there but today she was coming in later. Manager stated that she has made the staff aware that if they have too many dogs they are suppose to contact her at the vet clinic to request more help or to take dogs to the vet clinic.

02 NCAC 52J .0209 CLASSIFICATION AND SEPARATION

1. Animals in the same primary enclosure maintained in compatible groups. [02 NCAC 52J .0209] - In Compliance
2. Females in season (estrus) not be housed in the same primary enclosure with males except for planned breeding. [02 NCAC 52J .0209(1)] - In Compliance
3. Written permission for comingling. [02 NCAC 52J .0207(2)] - In Compliance
4. Aggressive animals housed individually in a primary enclosure. [02 NCAC 52J .0207(2)] - In Compliance
5. Puppies or kittens less than four months of age housed in the same primary enclosure with adults without written permission. [02 NCAC 52J .0209(3)] - In Compliance
6. Puppies or kittens between 4 and 16 weeks of age have daily access to human social interaction. [02 NCAC 52J .0209(3)] - In Compliance
7. Dogs not housed in the same primary enclosure with cats; dogs or cats not housed in the same primary enclosure with any other species of animals without written permission. [02 NCAC 52J .0209(4)] - In Compliance
8. Designated isolation area for animals being treated or observed for communicable diseases. [02 NCAC 52J .0209(5)] - In Compliance
9. Dogs or cats in isolation that are being treated for a communicable disease separated as to minimize dissemination of disease. [02 NCAC 52J .0209(5)] - In Compliance
10. A sign posted at the cage or isolation area when in use. [02 NCAC 52J .0209(5)] - In Compliance
11. All animals confined in primary enclosures or exercise areas. [02 NCAC 52J .0209(7)] - In Compliance

02 NCAC 52J .0210 VETERINARY CARE

1. Written program of veterinary care. [02 NCAC 52J .0210(a)] - In Compliance
2. Veterinarian's written recommendations for correcting disease problem that persists for more than 30 days obtained and followed [02 NCAC 52J .0210(b)] - In Compliance
3. Daily observation of animals. [02 NCAC 52J .0210(c)] - In Compliance
4. Sick or diseased, injured, lame, or blind dogs or cats provided with veterinary care [02 NCAC 52J .0210(c)] - In Compliance
5. Diseased or deformed animals sold or adopted only under the policy set forth in the "Program of Veterinary Care." [02 NCAC 52J .0210(c)] - In Compliance
6. All animals in a licensed or registered facility in compliance with the North Carolina rabies law, G.S. 130A, Article 6, Part 6. [02 NCAC 52J .0210(d)] - In Compliance

02 NCAC 52J .0301 VEHICLES

1. Vehicles mechanically sound. [02 NCAC 52J .0301(a)] - Not Applicable

2. Vehicles equipped to provide fresh air to animals without harmful drafts. [02 NCAC 52J .0301(a)] - Not Applicable
3. The animal cargo space constructed and maintained to prevent engine exhaust fumes from getting to the animals. [02 NCAC 52J .0301(b)] - Not Applicable
4. The interior of the animal cargo space kept clean and sanitized. [02 NCAC 52J .0301(c)] - Not Applicable

02 NCAC 52J .00302 PRIMARY ENCLOSURES USED IN TRANSPORTING DOGS AND CATS

1. Primary enclosures constructed, ventilated and designed to protect the health and insure the safety of the animals. [02 NCAC 52J .0302(a)] - Not Applicable
2. Such enclosures constructed or positioned so that:
 - Each animal in the vehicle has sufficient fresh air for normal breathing. [02 NCAC 52J .0302(a)(1)] - Not Applicable
 - The openings of enclosures are easily accessible for emergency removals. [02 NCAC 52J .0302(a)(2)] - Not Applicable
 - The animals are adequately protected from the elements. [02 NCAC 52J .0302(a)(3)] - Not Applicable
3. The ambient temperature maintained between 50°F and 85°F. [02 NCAC 52J .0302(a)] - Not Applicable
4. The animal containment units are equipped with operable air-conditioning, forced-air cooling and heating or other temperature control mechanisms. [02 NCAC 52J .0302(a)] - Not Applicable
5. Animals in the same primary enclosure are of the same species. [02 NCAC 52J .0302(b)] - Not Applicable
6. Puppies or kittens less than 4 months of age not be transported in the same primary enclosures with adults other than their dams. [02 NCAC 52J .0302(b)] - Not Applicable
7. Primary enclosures for transport large enough for each animal to turn about freely, and to easily stand, sit or lie down in a natural position. [02 NCAC 52J .0302(c)] - Not Applicable
8. Primary enclosures for transport secured to the vehicle to prevent sliding or tipping of the enclosure during transit. [02 NCAC 52J .0302(c)] - Not Applicable
9. Animals not be placed in primary enclosure over other animals in transit unless such enclosures is constructed so as to prevent animal excreta from entering lower enclosures. [02 NCAC 52J .0302(d)] - Not Applicable
10. All primary enclosures for transport sanitized between use for shipments. [02 NCAC 52J .0302(e)] - Not Applicable

02 NCAC 52J .0303 FOOD AND WATER REQUIREMENTS

1. If animals are transported for more than 12 hours:

- The vehicles stop at least once every 12 hours for a period of 1 hour. During the 1-hour stop, potable water continuously provided for dogs and cats. [02 NCAC 52J .0303(1)]- Not Applicable
- Adult dogs and cats fed at least once during each 24-hour period. [02 NCAC 52J .0303 (2)]- Not Applicable
- Puppies and kittens less than 6 months of age fed every 6 hours. [02 NCAC 52J .0303(2)] - Not Applicable
- Dogs removed from the vehicle, given fresh water and given the opportunity for exercise if they have been confined in the vehicle for 36 hours. [02 NCAC 52J .0303(3)]- Not Applicable

02 NCAC 52J .0304 CARE IN TRANSIT

1. The attendant or driver inspects animals frequently enough to assure health and comfort and to determine if they need emergency care and to obtain it if needed. [02 NCAC 52J .0304] - Not Applicable

General Comments:

Follow up inspection from disapproved inspection dated 11-21-19. Manager stated that they have recently received estimates for the repair/sealing of the floors and for the gravel/landscaping (contractor was there today). Manager stated that she has told the staff to walk the dogs to the vet clinic's outside play yard for potty breaks. This seems impossible with the inadequate amount of staff therefore I have asked her to install a temporary fence to allow the dogs in the side area where rock and concrete are present only. I have requested that this be completed by 1-13-2020. Being that the inadequacies have not been brought into compliance including the lack of sanitation this inspection report is again marked as Disapproved.

Inspection Result:

Disapproved

Inspector's Signature	Date
Christie Shore	01/09/2020
Facility Representative's Signature	Date
Morgan Smith	01/09/2020